



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection

AARON B. KEATLEY
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

September 27, 2016

Ms. Tracey Duncan
US Department of Energy
Portsmouth/Paducah Project Site Office
5501 Hobbs Road
Paducah, Kentucky 42053

RE: Denial of the Milestone Modification Request for Submittal of the Revised Proposed Plan for the Volatile Organic Compound Contamination at the C-400 Cleaning Building (DOE/LX/07-2407&D1)
Paducah Site
Paducah, McCracken County, Kentucky
KY8-890-008-982

Ms. Duncan:

The Kentucky Division of Waste Management (Division) received DOE's September 6, 2016 milestone modification request to extend submittal for the above-stated document by 120 days. This milestone modification request, in accordance with Section XXX.B.6 of the Federal Facility Agreement (FFA), proposes to extend the time period for DOE to submit a D1 Revised Proposed Plan, from September 27, 2016 to January 25, 2017.

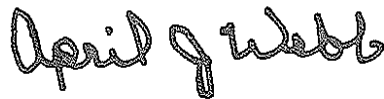
In accordance with Section XXIX (Extensions) of the FFA, the Division hereby non-concurs with DOE's 120-day extension request for submittal of the *Revised Proposed Plan for the Volatile Organic Compound Contamination at the C-400 Cleaning Building (2407&D1)*. The Division is willing to consider an amended extension request to November 26, 2016, which equates to 45 days after the October 12, 2016 meeting. Current FFA scheduling logic allows 45 days for submittal of a D1 Proposed Plan once the Feasibility Study (FS) Report is approved. The Division and EPA approved the "Post-FS" D2 Treatability Study Report on May 27 and June 9, respectively. Extending the submittal of a D1 Proposed Plan beyond a 45-day FFA logic period to 105 days beyond the October 12, 2016 meeting does not constitute good cause.

DOE asserts in the September 6, 2016 extension request that "in accordance with Section XXIX.B.6 of the FFA, DOE believes the evaluation of DOE's site cleanup priorities proposal constitutes good cause to extend the submittal date for provision of the D1 Revised Proposed

Plan by 120 days.” In addition, “DOE developed the proposal in response to EPA and KDEP comments requesting a limited and focused C-400 sub-slab investigation, comments from the Citizens Advisory Board to accelerate the investigation of C-400, and DOE’s desire to address the largest groundwater source at the Paducah Site in a single project now that the C-400 facility has been returned to DOE.” The Division would like to provide the following clarifications to the preceding DOE statement: KDEP did not specifically request a “limited and focused C-400 sub-slab investigation” in D1 comments pertaining to the *Treatability Study Report for the C-400 Interim Remedial Action Phase IIB Steam Injection Treatability Study*. Furthermore, the Citizens Advisory Board’s March 21, 2016 Recommendation No. 16-02 (C-400 Interim Remedial Action Phase IIB Steam Injection with Sampling Under the Building) concluded “that DOE make every effort to conduct this TCE sampling project without disrupting or delaying their full scale steam injection remediation schedule.” Finally, the Division would like to point out that the largest known zone of Principal Threat Source Material at the Paducah site is the Phase IIB area, estimated to contain 576 to 4,500 gallons of DNAPL. DOE’s extension request letter does not provide good cause to justify delay on extending submittal of a D1 Proposed Plan by 120 days.

If you have any questions or require additional information, please contact Brian Begley at (502) 782-6317, or e-mail at brian.begley@ky.gov.

Sincerely,



April J. Webb, P.E., Manager
Hazardous Waste Branch

AJW: bb/geb

ec: Julie Corkran, US EPA – Region 4; corkran.julie@epa.gov
Jon Richards, US EPA – Region 4; Richards.jon@epa.gov
Robert E. Edwards III, DOE – Paducah; Robert.edwards@lex.doe.gov
David Dollins, DOE – Paducah; dave.dollins@lex.doe.gov
Jennifer Woodard, DOE – Paducah; Jennifer.Woodard@lex.doe.gov
Tracey Duncan, DOE – Paducah; tracey.duncan@lex.doe.gov
Kim Knerr, DOE – Paducah; kim.Knerr@lex.doe.gov
Rich Bonczek, DOE – Lexington; rich.bonczek@lex.doe.gov
Marcia Fultz, DOE – Lexington; marcia.fultz@lex.doe.gov
Rose Wigton, DOE – Lexington; rose.wigton@lex.doe.gov
Paula Rhea, DOE – Lexington; paula.rhea@lex.doe.gov

Myrna Redfield, Fluor Federal Services – Kevil; Myrna.Redfield@ffspaducah.com
John Wesley Morgan, Fluor Federal Services – Kevil; John.Morgan@ffspaducah.com
Jana White, Fluor Federal Services – Kevil; jana.white@ffspaducah.com
Kelly Layne, Fluor Federal Services – Kevil; Kelly.layne@ffspaducah.com
Craig Jones, Fluor Federal Services – Kevil; craig.jones@ffspaducah.com
Karen Walker, Fluor Federal Services – Kevil; Karen.walker@ffspaducah.com
Correspondence, Fluor Federal Services – Kevil; ffscorrespondence@ffspaducah.com
Karla Morehead, P2S – Paducah; karla.morehead@lex.doe.gov
Bethany Jones, P2S – Paducah; Bethany.jones@lex.doe.gov
Jacqueline Ginter, P2S – Paducah; Jacqueline.ginter@lex.doe.gov
Darlene Box, P2S – Paducah; Darlene.box@lex.doe.gov
Jim Ethridge, CAB – Paducah; jim@pgdpcab.org
Matt McKinley, CHFS – Frankfort; matthewW.mckinley@ky.gov
Stephanie Brock, CHFS – Frankfort; StephanieC.Brock@ky.gov
Nathan Garner, CHFS – Frankfort; Nathan.garner@ky.gov
Sandra Cooke, KDAQ – Frankfort; sandra.cooke@ky.gov
Mary Evans, KDAQ – Paducah; Mary.evans@ky.gov
Richard Reed; KDAQ – Paducah; Richard.reed@ky.gov
Brian Begley, KDWM – Frankfort; brian.begley@ky.gov
Gaye Brewer, KDWM – Paducah; gaye.brewer@ky.gov
Leo Williamson, KDWM – Frankfort leo.williamson@ky.gov
DWM File: #750-V; Graybar: ARM20170001 (Rev Proposed Plan for C-400 VOC Cont)